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The Honorable Richard A. Jones  
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IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

10 ABDIQAFAR WAGAFE, *et al.*, on behalf of  
11 himself and other similarly situated,

12 Plaintiffs,

13 v.

14 DONALD TRUMP, President of the United  
15 States, *et al.*,

16 Defendants.  
17

CASE NO. C17-00094RAJ

**JOINT STATUS REPORT  
PURSUANT TO MARCH 26, 2020  
ORDER (DKT. # 349)**

18 On March 26, 2020, the Court issued an order suspending the preexisting case schedule in  
19 this lawsuit for good cause until current limitations no longer impair the ability of counsel to meet  
20 case deadlines and efficiently perform their duties associated with this case. Dkt. # 349. This order  
21 was based upon a stipulation of the parties. Dkt. # 348. The stipulation detailed the disruption of  
22 counsels' efforts to complete pretrial proceedings and prepare for trial under the case schedule order  
23 resulting from mandated efforts to contain and suppress the spread of COVID-19 and its associated  
24 health risks.

25 In addition to suspending the case schedule, the Court ordered the parties to file a Joint Status  
26 Report by April 27, 2020, setting forth progress made since the date of the minute order.  
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1       Counsel have conferred by telephone on two occasions since the minute order was entered to  
 2 discuss areas in which progress can be made in the lawsuit, and they also have exchanged written  
 3 correspondence. The parties' progress has been primarily in the following three areas.

4       First, the parties continue to negotiate over the scope and terms of a deposition notice issued  
 5 by plaintiffs to defendants pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure. The  
 6 parties have exchanged proposals in an effort to eliminate or substantially narrow the areas of  
 7 dispute concerning the scope and terms of the Rule 30(b)(6) notice. Those efforts are continuing,  
 8 and the parties anticipate conducting a separate meet and confer concerning the parties' respective  
 9 positions on the Rule 30(b)(6) notice on Thursday, April 30, 2020. While the parties are hopeful that  
 10 all remaining issues can be resolved, and that no court intervention as to this issue will be required,  
 11 several substantive disagreements remain to be worked through. Should the parties reach final  
 12 agreement on the scope of the deposition, they will consider whether it is feasible for the deposition  
 13 to proceed remotely, or whether the deposition can only occur once the witness(es) and counsel are  
 14 able to convene in a single location. In the meantime, to the extent possible, defendants are  
 15 continuing to prepare prospective witnesses for this deposition.

16       The second area of progress relates to the preparation of responsive discovery in regards to  
 17 opinions expressed by plaintiffs' designated expert witnesses. Defendants represent that those  
 18 efforts are continuing to the extent possible under present conditions, and defendants anticipate  
 19 making appropriate disclosures within the next several weeks. The parties do not yet know when  
 20 they will be able to proceed with depositions of expert witnesses.

21       The third area of progress is in regard to certain "claw back" requests made by defendants of  
 22 information that they believe to be privileged and inadvertently disclosed to plaintiffs. Agreement  
 23 has been reached on several requests. Remaining claw back requests will be the subject of an  
 24 upcoming meet and confer to take place during the week of April 27, 2020.

25       Despite the progress detailed above, the parties report that there has been no meaningful  
 26 change in the conditions that compelled the parties to file their stipulation on March 24, 2020.

27       With the Court's approval, the parties propose to file another joint status report on or before  
 28 May 27, 2020, updating the Court on progress made since this report.

1 DATED: April 27, 2020.

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